



MULTIPLE ORIGIN CITRUS COMPLIANCE AGREEMENT

PURPOSE:

The purpose of this agreement is to preclude commingling of citrus which includes grapefruit originating from Texas and California; oranges, clementines, and grapefruit originating from the Southern Hemisphere; and limes originating from Mexico or Guatemala.

Citrus fruit meeting the terms of Permit No. QC 397, Permit No. QC 594, OIA agreement OROI-3872 or other permits, as applicable, may be shipped to California providing grapefruit, oranges, or clementines of different origins are not allowed to commingle and steps to prevent commingling, as outlined in section A, B and C of this agreement, are followed. This approval would not preclude inspection and sampling or testing at the discretion of the California Department of Food and Agriculture, and rejection if required as a consequence of the findings of that inspection and/or test(s).

The Oregon Department of Agriculture (Department) hereby approves **Harry & David Operations, Inc.** (hereinafter referred to as Shipper) to house concurrently on their premises, and ship into California, domestic and foreign origin citrus of the following listed kinds and origins. These are in addition to those approved of in the ORIO-3872 of April 20, 2009.

REQUIREMENTS:

This approval and authorization is made subject to compliance with the following requirements.

- A. To preclude commingling of grapefruit from Texas and California the Shipper shall:
1. Upon request, make available all records pertaining to the purchase, packing, handling, shipments, and disposition of grapefruit to the Department or California Department of Food and Agriculture (CDFA).
 2. Shipper shall not commingle grapefruit from different origins and shall maintain identity and origin of each lot at all times. Grapefruit of different origins shall be kept in separate storage areas.
 3. All grapefruit brought into Shipper's facility shall be made available and subject to inspection by the ODA and otherwise meet California entry requirements. Non-fumigated Texas grapefruit, as defined by the master permit for Texas grapefruit, will not be allowed.
 4. If California entry certification is revoked for Texas grapefruit after receipt or while grapefruit is in transit, the shipper shall immediately take steps to assure that Texas grapefruit is not shipped to California by pulling California-destination tickets, routing trucks around California, and installing system prompt warnings against such shipments. All gift boxes packed with such fruit will be physically identified with a "Stop CA" sticker placed where the customer ticket is to be placed. Prior to resuming any shipments to California, all such inventory will be physically checked in inventory to make sure that all gifts containing Texas grapefruit are so marked.



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5. All grapefruit loads shall be received with the load number added to the lot to maintain lot identity. To allow for manual lot identification in the event of a system failure, each pallet shall be identified with a lot code.
6. Different lots of a grapefruit SKU shall be stored in separate warehouse management computer system storage locations.
7. Grapefruit going through the pre-sort line, shall maintain lot identity.
8. When grapefruit arrives at the premises while grapefruit from a different origin is on premises, the shipper's quality assurance department shall place grapefruit from the second origin on hold. The hold shall not be released until all of the first origin grapefruit has been packaged. Shipper's production department will then physically verify that the first origin grapefruit has been removed from the process lines and then notify the quality assurance department.
9. Shipper's quality assurance department shall verify that grapefruit from the first origin has been removed before releasing the second origin to the processing lines.
10. No reworks of gifts (replacement of expiring grapefruit with new grapefruit) containing the first origin grapefruit shall be done after the second origin grapefruit has been packaged.
11. **Citrus originating from Texas, Arizona and California shall not be allowed on the premises unless all applicable Federal Orders are met and documentation of certifications as to meeting these Federal Orders are available for verification by the Department.**

- B. To preclude commingling of oranges, clementines or grapefruit from the Southern Hemisphere and citrus from California the shipper shall:
1. Upon request, make available all records pertaining to the purchase, packing, handling, shipments, and disposition of Southern Hemisphere citrus (oranges, clementines and/or grapefruit) to the Department or CDFA.
 2. The shipper shall inventory all Southern Hemisphere fruit (oranges, clementines and/or grapefruit) under SKU's that are unique, not commingling Southern Hemisphere fruit (oranges, clementines and/or grapefruit) with similar fruit from different origins and will maintain identity and origin of each lot at all times.
 3. Southern Hemisphere fruit (oranges, clementines and/or grapefruit) shall be kept in separate storage areas.
 4. All Southern Hemisphere fruit brought into the shipper's facility shall be made available and subject to inspection by the Department and otherwise meet California entry requirements.
 5. Shipper will eliminate the risk of commingling Northern and Southern Hemisphere fruits by planning and scheduling gift packing production such that Northern Hemisphere oranges will not be on the line at the same time oranges from the Southern Hemisphere; Northern Hemisphere grapefruit will not be on the line at the same time grapefruit from the Southern Hemisphere; Northern Hemisphere clementines will not be on the line at the same time as clementines from the Southern Hemisphere.
 6. If California entry certification is revoked for any variety of Southern Hemisphere fruit after receipt or while that Southern Hemisphere fruit is in transit, Shipper shall immediately take steps to assure that the fruit for which



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the certification is revoked is not shipped to California by pulling California-destination tickets, routing trucks around California, and installing system prompt warnings against such shipments. All gift boxes packed with such fruit will be physically identified with a "Stop CA" sticker placed where the customer ticket is to be placed. Prior to resuming any shipments of Southern Hemisphere fruit to California, all such inventory will be physically checked in inventory to make sure that all gifts containing entry certification revoked Southern Hemisphere fruit is so marked.

7. All Southern Hemisphere fruit (oranges, clementines and/or grapefruit) loads shall be received with the load number added to the lot to maintain lot identity. To allow for manual lot identification in the event of a system failure, each pallet shall be identified with a lot code.
 8. Different lots of Southern Hemisphere fruit (oranges, clementines and/or grapefruit) SKUs shall be stored in separate warehouse management computer system storage locations.
 9. All Southern Hemisphere citrus going through the pre-sort line, shall maintain lot identity.
 10. When Southern Hemisphere citrus varieties arrive at the shipper's premises while similar citrus varieties from a different origin are on premises, Shipper's quality assurance department shall place the citrus variety from the second origin on hold. The hold shall not be released until all of the first origin citrus has been packaged. Shipper's production department will then physically verify that the first origin citrus has been removed from the process lines and then notify the quality assurance department.
 11. Shipper's quality assurance department shall verify that Southern Hemisphere citrus (oranges, clementines and/or grapefruit) from the first origin have been removed before releasing the second origin to process lines.
 12. No reworks of gifts (replacement of expiring Southern Hemisphere citrus with new Southern Hemisphere citrus) containing the first origin citrus shall be done after the second origin citrus has been packaged.
- C. To preclude commingling of limes from the Northern Hemisphere (Mexico and Guatemala) with California citrus the Shipper shall:
1. Shipper will only purchase limes from Mexico or Guatemala and never purchase limes from California.
 2. Upon request, make available all records pertaining to the purchase, packing, handling, shipments, and disposition of Northern Hemisphere limes to the Oregon Dept of Agriculture or California Dept of Food and Agriculture.
 3. Shipper shall inventory all Northern Hemisphere limes under SKUs that are unique.
 4. All Northern Hemisphere limes brought into the Shipper's facility shall be made available and subject to inspection by the ODA and otherwise meet California entry requirements.
 5. If California entry certification is revoked for Northern Hemisphere limes after receipt or while Northern Hemisphere limes are in transit, Shipper shall immediately take steps to assure that the fruit for which certification is revoked is not shipped to California by pulling California-destination tickets, routing trucks around California, and installing system prompt warnings against such shipments. All gift boxes packed with such fruit will be physically identified with a "Stop CA" sticker placed where the customer ticket is to be placed. Prior to



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resuming any shipments to California, all such inventory will be physically checked in inventory to make sure that all gifts containing entry certification revoked Northern Hemisphere limes are so marked.

6. All Northern Hemisphere lime loads shall be received with the load number added to the lot to maintain lot identity. To allow for manual lot identification in the event of a system failure, each pallet shall be identified with a lot code.
7. Different lots of lime SKUs from different origins shall be stored in separate warehouse management computer system storage locations.
8. All limes going through the pre-sort line, shall maintain lot identity.
9. When Northern Hemisphere limes arrive at the shipper's premises while similar citrus varieties from a different origin are on premises, Shipper's quality assurance department shall place the limes from the second origin on hold. The hold shall not be released until all of the first origin limes have been packaged. Shipper's production department will then physically verify that the first origin limes have been removed from the process lines and then notify the quality assurance department.
10. Shipper's quality assurance department shall verify that limes from the first origin have been removed from the processing lines before releasing the second origin to the processing lines.
11. No reworks of gifts (replacement of expiring limes with new limes) containing the first origin limes shall be done after the second origin limes have been packaged.

MISCELLANEOUS

1. Signatures. Shipper by the signature below of its authorized representative hereby acknowledges that he/she has read the terms of this Agreement, understands it, and agrees to be bound by its terms and conditions.
2. The Shipper shall agree to bear all costs of the ODA representative for travel and review of Shipper's facilities and records in the case of an investigation relating to the misuse of the stamp or certificate or any violation of this agreement.

NOTE: Noncompliance with the requirements stated herein may result either in suspension or revocation of authorizations. Otherwise, this agreement shall remain in force until revoked by either Oregon Department of Agriculture or by expiration (see below) and so long as the ownership and management of the Shipper remains unchanged. Revisions may be made as necessary to include, delete, or modify requirements.

Gregory Sarley

Harry & David Operations, Inc.
Shipper – Ownership/Management

January 31, 2021
Effective Date

Elizabeth A. Savory
Oregon Department of Agriculture

December 31, 2021
Expiration Date